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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FIFTH APPELLATE DISTRICT

In re BRADLEY C. et al., Persons Coming  
Under the Juvenile Court Law.

TULARE COUNTY HEALTH AND HUMAN  
SERVICES AGENCY,

Plaintiff and Respondent,

v.

KATY C. et al.,

Defendants and Appellants.

F072403

(Super. Ct. No. JJV067272A-B)

**OPINION**

APPEAL from an order of the Superior Court of Tulare County. Michael B. Sheltzer, Judge.

Neale B. Gold, under appointment by the Court of Appeal, for Defendant and Appellant Katy C.

Mara Carman, under appointment by the Court of Appeal, for Defendant and Appellant Jacob D.

Kathleen Bales-Lange, County Counsel, John A. Rozum and Carol E. Holding, Deputy County Counsel, for Plaintiff and Respondent.

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## INTRODUCTION

In September 2013, the juvenile court detained Bradley C., just under two years old, and Emma D., three months old, on allegations made in a petition filed by the Tulare County Health and Human Services Agency (agency) pursuant to Welfare and Institutions Code section 300<sup>1</sup> that their parents, Jacob D. (father) and Katy C. (mother) failed to provide the children with adequate shelter and placed them both at significant risk of harm for failure to adequately care for a medical condition suffered by Bradley and for Emma's failure to thrive. After receiving reunification services for 18 months, the parents failed to make sufficient progress in their case plan. The juvenile court terminated further services and set the matter for a section 366.26 hearing.

At the section 366.26 hearing, the parents contended the beneficial parent-child relationship exception applied here. The juvenile court disagreed and terminated the parental rights of both parents. The parents contend the juvenile court erred in failing to apply the beneficial relationship exception. We affirm the findings and orders of the juvenile court.

## FACTS

### *Jurisdiction/Disposition Proceedings*

On September 10, 2013, a petition was filed alleging Emma was at substantial risk of suffering serious physical harm because on September 8, 2013, she was admitted to Children's Hospital Central California (Children's Hospital) diagnosed with failure to thrive due to low caloric intake. Though mother and father were instructed by hospital staff concerning how to properly feed Emma, they failed to do so. Bradley was also at substantial risk of suffering from serious physical harm or illness because he suffers from a seizure disorder, and the parents failed to ensure his medication was regularly filled. Furthermore, father willfully or negligently failed to provide the children with adequate

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<sup>1</sup>All statutory references are to the Welfare and Institutions Code.

housing, placing them both at substantial risk of serious physical harm or illness. The residence was filled with debris endangering the children.

The social worker's report prepared for the jurisdiction/disposition hearing noted the kitchen of the family's residence was filthy and the floor had not been mopped in ages. There were dirty dishes and pans piled up everywhere. The counters were cluttered with random items, clothing and magazines were scattered throughout the house, and the house was generally cluttered.

Between her birth about three months earlier and September 5, 2013, Emma had gained less than two pounds and weighed only seven pounds one ounce. A medical examination of Emma at the hospital ruled out thyroid problems or other physical causes for Emma's inability to gain significant weight. The medical staff concluded she suffered from failure to thrive due to low caloric intake. The parents were instructed to ensure Emma was fed every three hours, and she needed to consume four ounces at each feeding. The children's regular pediatrician referred the parents to Children's Hospital. Mother said when Emma was asleep, she did not want to awaken her to feed her.

The parents admitted they smoked marijuana. Although father claimed he had not smoked marijuana in two months, he tested positive during a spot test by a social worker. Neither parent had a medical marijuana card. Father had used methamphetamine in the past and mother had used cocaine. Both parents had used marijuana for many years. Both parents said they were willing to comply with a drug program.

Bradley had been residing with a relative while the parents were homeless. The relative had a conviction in 2011 for child cruelty. In September 2013, social workers contacted the relative to ask him to bring Bradley for protective custody placement. In addition to the seizure disorder, Bradley suffers from a peanut allergy, asthma, and is lactose intolerant. He was brought to social workers with no inhaler, eczema on his arms and legs, and experiencing seizures. Mother explained she had failed to refill the seizure medication.

The agency recommended reunification services for both parents. The reunification plan recommended both parents have drug and alcohol assessments, receive substance abuse services, be tested randomly for drugs, receive anger management training, have mental health assessments, and participate in parenting education programs.

A court appointed special advocate (CASA) volunteer, Leticia Barrios, saw the children in early October 2013. Barrios noted Emma was very small and although she was four months old, she appeared to be only four weeks old. Emma required stimulation from the foster mother during feedings to finish her formula. Bradley did not display verbal abilities, had difficulty listening to his foster mother, and threw four tantrums during Barrios's visit.

On October 30, 2013, mother and father signed a waiver of their right to a contested hearing and submitted the matter on the petition and the social workers' reports. The juvenile court found three of the allegations in the petition true and ordered the parents receive reunification services.

### ***Review Hearings***

The social worker's report prepared for the six-month review hearing noted mother and father had received six months of services and failed to consistently participate in services to mitigate the circumstances causing the children to become dependents of the court. Mother failed to enroll in anger management training or to be assessed for mental health services. This was a concern because of the parents' past history of domestic violence with each other. Mother was volatile during meetings with social workers and consistently denied the need for services. Mother blamed the agency, the foster parent, and other service providers for her own lack of compliance with the case plan. The agency determined mother had not made substantial progress in her services.

Father failed to enroll in substance abuse treatment and anger management services despite being told he needed to do so on several occasions. Father further failed to comply with random drug testing and made only a minimal effort toward receiving parenting services. The agency recommended the children remain dependents and reunification services be terminated.

The juvenile court had previously ordered both parents were to receive at least two supervised visitations a week. The agency was given the discretion to increase the frequency and duration of visits. Although the parents' acted appropriately during visits, their visitation was sporadic, and they often had to be redirected into participating with their children rather than expressing frustration that the children were removed from their custody. The juvenile court ordered the continuation of reunification services to the parents after a contested six-month review hearing on April 23, 2014.

The social worker's report for the 12-month review hearing noted the parents had received reunification services for a year. Both parents failed to consistently participate in reunification services. Father missed several drug tests, and three tests between July and September 2014 were positive for cannabinoid. Father was not compliant with the random drug testing component of his case plan and continued to use marijuana even though he did not have a medical marijuana recommendation. Mother also missed several drug tests and had three positive tests for the presence of cannabinoid between July and September 2014. Neither parent had a negative drug test during the testing period. Mother did obtain a medical marijuana recommendation, but was still not in compliance with the random drug testing component of her case plan because of so many no shows for testing.

Mother received a certificate for completion of a parenting class. Mother, however, was unable to articulate the skills she received from the program and continued to be in denial regarding any deficiencies in her parenting. Although mother was technically compliant with the mental health component of her plan by seeing a clinician

for a mental health assessment, mother was not willing to engage in services, so further services were not offered to her.

Father belatedly entered an anger management program. Although he was technically compliant with the component of his case plan, father failed to make substantial progress in the program and could not verbalize any skills he learned from the program. Father did have a mental health assessment and met the criteria for being bipolar and having a personality disorder. Father, however, declined any treatment. Father completed a parenting education course, but appeared to have gained limited skills from the program.

The parents' supervised visits with the children for two visits per week of two hours each went well. The parents were appropriate during the visits and were able to interact with the children. The agency concluded the parents had both failed to make substantial progress in their case plan and recommended reunification services be terminated. At the contested 12-month review hearing on December 3, 2014, the juvenile court found it likely the children would be returned to the parents within six more months and ordered reunification services be continued for both parents.

The social worker's report for the 18-month review hearing noted mother had completed 14 weeks of an anger management program and received an evaluation of acceptable in all areas. Mother had also requested a referral for therapy and was willing to begin services on February 9, 2015. Mother received an assessment for substance abuse treatment in September 2014 and was to immediately begin services. A substance abuse counselor stated on October 29, 2014, that mother was not compliant with services. By January 21, 2015, mother had completed outpatient services. Mother had reached the ninth or tenth step of her 12-step program, but had "hit a wall" and was becoming negative. Mother continued to use marijuana and had a medical marijuana card. Mother missed six drug tests from early October 2014 through mid-December 2014, and she

twice tested positive for cannabinoid in January 2015. Because of her failure to test, mother was considered noncompliant with her case plan.

Father also completed a 14-week anger management program and received an evaluation of acceptable in all areas. Father still refused treatment for his bipolar and personality disorders, although the clinician who tested father believed he would benefit from treatment.

Father continued to use marijuana and asserted he could rely on mother's prescription. Mother and father, however, were not married and it was not legal for father to rely on another person's prescription. Father was discharged from a drug treatment program for excessive absences in early October 2014. Father enrolled into a new program at the end of October 2014, but had missed two individual and group meetings. Father was behind in ten 12-step meetings and was considered noncompliant with the program. On January 28, 2015, a drug rehabilitation counselor reported father was doing better in the program and was four to five weeks away from completion. The counselor noted, however, father failed to take drug tests up until January 2015 and had three positive marijuana tests in January 2015. By January 29, 2015, father admitted he was smoking marijuana twice a week but planned on quitting. Father was on the fifth or sixth step of his 12-step program. He still did not have a sponsor, though he asserted he and mother had been clean for six days. Father failed to show for a drug test on February 4, 2015.

Leading up to the 18-month review, the parents consistently participated in supervised visitation with the children. The parents cared for the children during visits, providing them with snacks, playing with them, and changing their diapers when necessary. Although the parents had participated in reunification services, social workers did not believe they had learned from the services or were capable of caring for the children. The parents were still regularly using marijuana. The parents had not prepared their home for the return of the children. The home was infested with cockroaches and

the floors were filthy. At the hearing on March 25, 2015, the juvenile court terminated the parents' reunification services and set the case for a section 366.26 hearing.

***Social Workers' Report for Section 366.26 Hearing***

The social workers' report for the section 366.26 hearing noted the children had resided in the same foster home since their detention. They appeared to be well and content under the care of the current caretakers who remained committed to a plan of adoption. The caregivers demonstrated a strong commitment to the care of the children, who were now three and two years old. The children were both found to be adoptable.

The social workers' report noted the parents did arrive on time for supervised visitations and brought snacks and gifts for the children. The parents, with prompting, interacted with the children during visits and were affectionate with them. The parents were not able, however, to consistently demonstrate proper parenting skills. The visits lacked structure and the parents had to be reminded by social workers not to use their cell phones but to interact with the children. The visits were described by the social workers as enjoyable for the children and parents, but were not recommended to continue because the permanent plan was for adoption.

A volunteer with CASA of Tulare County received information from the caregiver in early 2015 that when Bradley returned home from visits with his parents, he was defiant for the rest of the day. The CASA volunteer reported in July 2015 that Bradley continued to act aggressively after visits with his parents, usually taking it out on his sister by throwing toys at her. Bradley told his caregiver that when he visits his parents, he has snacks and gets to play.

The agency identified adoption with the current caregivers as the best permanent plan for the children. The current caregivers understand the children's needs and have the ability to ensure both children receive adequate services. Also, other foster families would be willing to adopt the children.



### ***Parents' Section 388 Petitions***

In July 2015, mother filed a petition pursuant to section 388 to modify the orders of the juvenile court. Father filed a petition pursuant to section 388 in August 2015. The parents asserted they had made great strides in cleaning up their home, remaining sober, completing reunification services, and visiting the children. The parents asserted it was in the children's best interests to remain with parents as an intact family.

### ***Addendum Social Workers' Report***

The agency filed an addendum report on August 17, 2015. The addendum report largely reiterated information from prior social workers' reports. It noted services had been provided to the parents for 18 months and that reunification services were terminated in March 2015 because of significant noncompliance with the plan by the parents, especially their inability to pass random drug tests and their continued use of marijuana. The dependency began because the parents failed to provide adequate food, shelter, and medical care for the children and were generally negligent caregivers.

Since being placed with their current caregivers, both children showed developmental growth, cognitive improvements, a better ability to attach, behavioral growth, and age-appropriate functioning. The children also had significant relationships with their current caregivers, exhibiting a parent-child bond with them. The agency believed it would be detrimental to the children to remove them from their current caregivers who were ready to adopt both children. The agency's recommendation remained termination of parental rights with the permanent plan of adoption.

The contested section 366.26 hearing included consideration of mother's section 388 petition. At the conclusion of the hearing on September 4, 2015, the juvenile court denied mother's and father's section 388 petitions and terminated the mother's and father's parental rights.

***Combined Hearing Pursuant to Sections 388 and 366.26***

The juvenile court conducted a hearing on the parents' petitions to modify prior court orders and the section 366.26 proceedings on September 4, 2015. Mother's counsel submitted mother's section 388 petition on the social workers' reports and argued mother had been sober since September 2014. Counsel also argued it was in the children's best interests to reunify with the parents. Father's counsel adopted mother's argument. Neither parent submitted additional evidence.

Arguing for the agency, county counsel pointed out mother claimed 16 days' sobriety in February 2015, she failed to test for drugs well past September 2014, and the 18-month time for reunification had passed. Counsel for the children argued they needed stability. Mother told the court she stopped smoking marijuana in January 2015. Counsel for father noted father had been working, was currently sober, and there was no concern by the agency regarding father's current sobriety. The court found there was insufficient evidence of changed circumstances and denied the parents' section 388 petitions. The court noted there was evidence the home was now clean, but there was insufficient evidence of a significant degree of compliance with the case plan.

Mother testified for the section 366.26 proceeding. Describing her bond with the children, mother stated that they "do nothing but play, give love, smiles and giggles." The children never want to leave mother's lap during visits. Mother explained the children do not want to leave the parents at the end of visits. Bradley tells mother he wants to go home. As an example, mother noted Bradley will tell mother at the end of visits that they need to play more. According to mother, Emma was beginning to bond more and also had a difficult time leaving visits.

Father testified they had been visiting with the children twice a month for two hours. Father explained they never missed visits unless the visits were cancelled or there was illness. Father denied he and mother used their cell phones during visits to talk or for

entertainment, but only to take pictures. Father enjoyed playing with Bradley during visits. Father also showed Bradley how to color during visits.

Father said the agency did not like the choice of snacks the parents were bringing, especially when it was cupcakes. The parents tried to bring something healthy, including juice, during visits. Father denied Bradley ignored father during visits and explained Bradley would run directly toward mother. Prior to leaving a visit, Bradley would get cranky and pull at father's leg. Also, Bradley gives father hugs and kisses. Father believes his bonds with the children have been increasing and denied the bonds had remained stagnant.

On behalf of the agency, county counsel argued the parental rights of both parents should be terminated as the beneficial relationship exception had two prongs. The first was regular visitation, which was not at issue. The second prong was the parents' burden to show not just a relationship with the children, but the strength of the relationship to outweigh living in a stable, permanent, adoptive home. Further, the caregivers were willing to adopt the children and had demonstrated they could provide a stable, permanent home. Counsel for the children joined in the agency's argument and noted visits with the children remained supervised, and although they were pleasant visits, the bonds demonstrated during the visits were not comparable to those formed with the foster parents.

The parents argued the agency never increased their visits or allowed unsupervised visitation, and the children wanted to be with their parents. The children would cling to the parents at the end of visitation, and both parents testified there was a beneficial relationship.

The juvenile court noted that once parents reach the stage of a section 366.26 hearing, the court is required to focus not on what the parents are doing but on the children, including whether they are adoptable. The court found the parents have a strong burden to show the beneficial relationship exception applies for the court not to terminate

their parental rights. The court acknowledged the parents were in regular visitation with the children and had a loving bond with them. The court found that although the parents and children had fun together during visits, the parents were unable to consistently demonstrate parenting with regard to discipline and redirection of the children. The visits lacked structure and staff had to intervene to redirect the parents in addressing the children's needs. The court concluded the parents failed to meet their burden of showing a beneficial parent-child relationship as an exception to the preference for adoption. The court adopted the agency's recommendation to terminate the parental rights of both parents.

## **DISCUSSION**

### ***Introduction***

Mother and father contend they had a close bond with the children, their visitations with the children were consistent and appropriate, and they had been sober for a significant period of time.<sup>2</sup> The parents argue the juvenile court improperly focused on the parents not providing the children daily care, and it erred in failing to apply the beneficial parent-child relationship to the statutory preference for adoption. We reject these contentions.

### ***Appellate Review of Beneficial Relationship Exception***

Once reunification services are ordered terminated, the focus shifts to the needs of the children for permanency and stability. The burden is on the parent to prove changed circumstances. (*In re Marilyn H.* (1993) 5 Cal.4th 295, 309.) If the children are likely to be adopted, adoption is the norm. Indeed, the court must order adoption and its necessary consequence, termination of parental rights, unless one of the specified circumstances

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<sup>2</sup>The parents' arguments are significantly similar, but not identical. At the end of their opening briefs, each parent joins in the arguments of the other.

provides a compelling reason for finding termination of parental rights would be detrimental to the child. (*In re Celine R.* (2003) 31 Cal.4th 45, 53.)

Although section 366.26, subdivision (c)(1)(B) acknowledges termination may be detrimental under specifically designated circumstances, a finding of no detriment is not a prerequisite to the termination of parental rights. (*In re Jasmine D.* (2000) 78 Cal.App.4th 1339, 1348.) It is the parent's burden to show termination would be detrimental under one of the exceptions. There is a strong preference for adoption. (*In re Zachary G.* (1999) 77 Cal.App.4th 799, 809.)

The standard of appellate review has been described as the substantial evidence test. (*In re Autumn H.* (1994) 27 Cal.App.4th 567, 576.) To the extent we may draw inferences from the record, we may do so only as to those legitimate inferences that uphold the decision of the trial court. (*In re Laura F.* (1983) 33 Cal.3d 826, 833; *In re Angelia P.* (1981) 28 Cal.3d 908, 924.) We view the evidence in the light most favorable to the trial court's judgment, contradicted or uncontradicted, and in assessing the evidence; appellate courts do not reweigh it. (*In re Shelley J.* (1998) 68 Cal.App.4th 322, 329.) Where there is a conflict in the evidence, we indulge all reasonable inferences in support of the trial court's finding. (*In re Brison C.* (2000) 81 Cal.App.4th 1373, 1378-1379; *In re Joshua H.* (1993) 13 Cal.App.4th 1718, 1728.)

Other courts have applied the abuse of discretion test. When a juvenile court rejects a detriment claim and terminates parental rights, the appellate issue is not one of substantial evidence but whether the juvenile court abused its discretion. (*In re Jasmine D.*, *supra*, 78 Cal.App.4th at p. 1351.) Under either the substantial evidence test or the abuse of discretion test, our analysis here would be the same. The practical differences between the two tests are insignificant as they both give deference to the juvenile court's judgment. (See *ibid.*)

For the section 366.26, subdivision (c)(1)(B)(i) exception to apply, the relationship between parent and child must promote the well-being of the child to such a degree that it

outweighs the well-being of the child in a permanent home with adoptive parents. The juvenile court balances the strength and quality of the natural parent-child relationship in a tenuous placement against the security and sense of belonging a new family would confer. If severing the natural parent-child relationship would deprive the child of a substantial and positive emotional attachment so that the child would be greatly harmed, the preference for adoption is overcome and the natural parent's rights are not terminated. (*In re Autumn H.*, *supra*, 27 Cal.App.4th at p. 575.)

Interactions between the natural parent and child will always confer some incidental benefit for the child. The significant attachment from child to parent results from the adult's attention to the child's needs for physical care, comfort, affection, and stimulation. The relationship arises from day-to-day interaction, companionship, and shared experiences. The exception applies only where the court finds regular visits and contact have continued or developed a significant, positive, emotional attachment from child to parent. (*In re Autumn H.*, *supra*, 27 Cal.App.4th at p. 575.)

A substantial evidence challenge to the juvenile court's failure to find the beneficial parental relationship or a sibling relationship cannot succeed unless the undisputed facts establish the existence of such relationships. Such a challenge amounts to a contention the undisputed facts lead to only one conclusion. (*In re Bailey J.* (2010) 189 Cal.App.4th 1308, 1314; *In re I.W.* (2009) 180 Cal.App.4th 1517, 1528-1529.)

### ***Parents' Showing of Beneficial Relationship***

The parents argue their consistent and appropriate visitations with the children, coupled with the loving bond they have with the children, meet the strong burden they bore to show applicability of the beneficial relationship exception. Mother points out she had been sober for a year at the time of the section 366.26 hearing. Mother further argues there was no evidence the children were bonded to the caretakers more than to mother.

The parents have viewed the evidence adduced at the hearing in the light most favorable to themselves, not in the light most favorable to the juvenile court's factual

findings and legal rulings. There was evidence presented at the hearing that the meetings between the parents and the children required redirection by social workers during the entire time they were receiving reunification services. The parents denied in their testimony at the hearing they had paid more attention to their cell phones rather than the children as stated in the social workers' reports. The parents asserted at the hearing they were using their phones to take pictures of the children, but this was not what social workers observed. The parents have pointed to conflicting evidence in support of their contentions on appeal, but there is other substantial evidence supporting the juvenile court's findings.

The parents rely on evidence of Bradley clutching father's leg at the end of visits. The parents interpret this to mean there was a strong parent-child bond. There was further evidence from the caregivers, however, that Bradley saw the visitation as an opportunity to play and to get snacks. During early visitations, the snacks were apparently inappropriate sweets. This evidence does not establish a strong parent-child bond and again is, at best, conflicting evidence.

Mother asserts on appeal she had been sober for about a year at the time of the section 366.26 hearing in September 2015. At the hearing, however, mother admitted she stopped using marijuana in January 2015. Both parents also had several failures to appear for drug testing in late 2014 and into early 2015. Mother's argument on appeal that she was drug free for a year at the time of the termination hearing is not supported by the record. Given the parents' long involvement with drugs, and father's lack of a medical marijuana recommendation, they had been sober for a comparatively short time even by the section 366.26 hearing in September 2015.

The fact the visitations were still supervised after 18 months is also a factor to be considered by the juvenile court. The visits were not only supervised throughout the 18-month reunification period, the parents never had unsupervised visits with the children and did not have them for overnight stays. The parents' home remained an unfit place for

the children to stay until just before the section 366.26 hearing. This was long after the reunification period had ended and reunification services had been terminated. The preference for permanency in the children's placement took precedence over reunification with the parents. Also, the social workers noted that although the parents had completed services including parental training and drug rehabilitation classes, they had difficulty articulating to social workers what they had actually learned from these classes and services.<sup>3</sup>

The foster parents in this case cared for Bradley from the time he was little more than a year old and for Emma from the time she was three months old. They provided a stable and nurturing home for both children. Bradley's special medical needs had not been met by the parents. Emma suffered from a failure to thrive so serious in her first months that her life was in danger from the parents' neglect and inability to adequately feed her. Both children started with significant developmental delays, but with the care received from the foster parents they were achieving cognitive growth, developmental functioning, and progress they had failed to make under their parents' care. The children also exhibited a child-parent bond with their foster parents.

The factors to consider when testing whether a parental relationship is important and beneficial include the age of the child, the portion of the child's life in the parent's custody, the positive or negative effect of interaction between the parent and child, and the child's particular needs. The relationship must be such that the child would suffer detriment from its termination. (*In re Angel B.* (2002) 97 Cal.App.4th 454, 467.) The

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<sup>3</sup>The parents have not directly challenged the juvenile court's ruling on their modification petitions pursuant to section 388. Had they done so, we would not find any error in the juvenile court's ruling. The parents had begun to make improvement in the living conditions that, in part, gave rise to the dependency action. Although the parents had shown their circumstances were beginning to change, they did not show changed circumstances as required for the juvenile court to grant a section 388 petition. (*In re Casey D.* (1999) 70 Cal.App.4th 38, 48-49 [petition can be granted only upon a showing of change of circumstances and proposed change in the child's best interests]; see *In re B.D.* (2008) 159 Cal.App.4th 1218, 1228-1230.)



children here were both very young when they were detained and taken into foster care. They had not spent an appreciable amount of time under the parents' care. Both children entered foster care with special medical needs not met by either parent but which were met by their new caregivers. The parents did not show how either child would suffer detriment on the termination of parental rights.

The fact the visitations were still supervised and had not progressed to overnight stays prior to the termination of reunification services is further important because it shows the parents were not yet prepared to care for and nurture the children full time. The juvenile court and the parties noted it was uncontested the parents loved their children and had positive visits with them. The visits were two hours long for twice a month (initially, two hours twice a week). The parents bore the burden of showing more than loving contact and pleasant visits. (*In re L.Y.L.* (2002) 101 Cal.App.4th 942, 953-954.)

Although day-to-day contact is not necessarily required, it is typical. A biological parent who has failed to reunify with an adoptable child may not derail adoption merely by showing the child would derive some benefit from continuing the parent-child relationship during periods of visitation. (*In re Jason J.* (2009) 175 Cal.App.4th 922, 937.) The parents needed to demonstrate they occupied a parental role in their children's lives resulting in a significant, positive, emotional attachment from child to parent. Here, there was little or no evidence the parents occupied this crucial role in their children's lives. (*In re L.Y.L.*, *supra*, 101 Cal.App.4th at p. 954.)

The parents have failed to show detriment or harm if the parent-child relationship ended. (*In re Autumn H.*, *supra*, 27 Cal.App.4th at p. 575.) We agree with the agency: there was insufficient evidence from the parents demonstrating the benefits of maintaining the parent-child relationship would outweigh the benefits to the children of adoption.

**DISPOSITION**

The findings and orders of the juvenile court are affirmed.

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PEÑA, J.

WE CONCUR:

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GOMES, Acting P.J.

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SMITH, J.